

Sixth Appellate District

San Jose, California

MONDAY, NOVEMBER 2, 1998

H016749 TAUB v. STATE OF CALIFORNIA, et al.

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)

Filed November 2, 1998

TUESDAY, NOVEMBER 3, 1998

H017073 PEOPLE v. MOORE

H018429 In re GERALD CARMEN MOORE on Habeas Corpus

The judgment is affirmed and the petition for writ of habeas corpus is denied. (not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)

Filed November 3, 1998

H017495 VOYTEK, et al. v. KEESLING, et al.

The judgment is reversed, and the matter is remanded for further proceedings in accordance with the views expressed herein. Defendants shall recover their appellate costs. (not published)

(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)

Filed November 3, 1998

WEDNESDAY, NOVEMBER 4, 1998

H017671 PEOPLE v. THELEN

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Premo, J., Elia, J.)

Filed November 4, 1998

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Premo, J., Elia, J.; and R. W. Norvelle, Deputy Clerk.

H017183 DFCS v. ELAINE G.

Cause called and argued by Gary Crooks appearing for appellant, by Michael L. Rossi, Deputy County Counsel, appearing for respondent and by Robert J. Masterson, Deputy District Attorney, appearing for respondent minor. Cause ordered submitted.

H017737 DFCS v. JOSEPH J.

Cause called and argued by Maureen Keaney appearing for appellant, by Michael L. Rossi, Deputy County Counsel, appearing for respondent and by Robert J. Masterson, Deputy District Attorney, appearing for respondent minor. Cause ordered submitted.

H017494 FIELDS V. BARELLI, et al.

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Cause called and argued by Robert J. Fields, appellant appearing in propria persona and by John S. Burton appearing for respondent. Cause ordered submitted.

Wednesday, November 4, 1998 (continued)

H017605 EARLY LEARNING INSTITUTE v. GAFTER, at al.

Cause called and argued by Patrick C. Kerwin appearing for appellant and by Stuart C. Clark appearing for respondents. Cause ordered submitted.

H017007 HAMILTON, et al. v. BRANNICK

Cause called and argued by W. Montgomery Jones appearing for appellant, by Michael Desmarais appearing for respondents and by Melissa Johnson appearing for conservator. Cause ordered submitted.

H017703 MARRIAGE OF KRAMPETZ

Cause called and argued by Brian H. Fray appearing for appellant and by Harold W. Fryday appearing for respondent. Cause ordered submitted.

H016747 DAVIS v. BASSETT, et al.

Cause called and argued by James L. Pagano appearing for appellant and by Christine Robison appearing for respondents. Cause ordered submitted. Court is adjourned.

H017022 PEOPLE v. WHITWORTH

(Filed order modifying opinion.) There is no change in the judgment. (published)
(Bamattre-Manoukian, J.; Cottle, P.J.; Mihara, J.)
Filed November 4, 1998

H017651 IN RE JORGE C., A MINOR

The matter is remanded to the juvenile court with directions to stay the eight-month sentence on the vehicle theft offense (count IV). The court is further ordered to correct the order of commitment and to forward a corrected order to the California Youth Authority. The judgment is otherwise affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed November 4, 1998

H017021 PEOPLE v. WOMACK

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed November 4, 1998

Sixth Appellate District

San Jose, California

THURSDAY, NOVEMBER 5, 1998

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and Nancy M. Olea, Deputy Clerk.

H017406 PEOPLE v. RODRIGUEZ

Cause called and argued by Miguel A. Hernandez appearing for appellant and by Mark S. Howell, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H017395 PRACTICON ASSOCIATES v. AMERICAN NATIONAL FIRE INSURANCE CO., et al.

Cause called and argued by Jesse P. Yanez appearing for appellant and by Paul C. Glaspy appearing for respondent. Cause ordered submitted.

H017035 PEOPLE v. HENDLEY

Cause called and argued by Manuel Baglanis appearing for appellant and by Linda M. Murphy, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H017295 GUYTON v. LOCKHEED MISSILES

Cause called and argued by Brian Carter appearing for appellant and by John C. Cook appearing for respondent. Cause ordered submitted.

Court recesses until 1:30 p.m.

H016056 PEOPLE v. WILLIAMS

The judgment is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed November 5, 1998

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and Judy Son, Deputy Clerk.

H016855 PEOPLE v. WALLACE

Cause called and argued by Jimmie E. Tinsley appearing for appellant and by Matthew P. Boyle, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016639 PEOPLE v. HUNT

Cause called and argued by Stephen Gibbs appearing for appellant and by Ross C. Moody, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, November 5, 1998 (continued)

H015928 PEOPLE v. KENNY

H018851 IN RE DAVID MATTHEW KENNY ON HABEAS CORPUS

Cause called and argued by David McNeil Morse appearing for appellant and by Martin Kaye, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016587 JOVEL v. JOVEL; BAYVIEW FEDERAL SAVINGS & LOAN, et al.

Cause called and argued by Stephanie Dean appearing for Appellant and by Paul Matzger appearing for Claimant and Respondent Bayview Federal Savings & Loan, and by Fred Scholz appearing for Claimant & Respondent Edgar Castro. Cause ordered submitted. Court is adjourned.

H015908 PEOPLE v. MARTINEZ

(Filed order modifying opinion.) Appellant's petition for rehearing is denied. There is no change in the judgment. (not published)

(Cottle, P.J.; Bamattre-Manoukian, J.; Mihara, J.)

Filed November 5, 1998

FRIDAY, NOVEMBER 6, 1998

H017402 TURPIN v. MONTEREY JAGUAR, et al.

The judgment is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed November 6, 1998

H017852 GOTTSCHALKS, INC. v. QUIGLEY

By the Court*:

Appellant's petition for rehearing is denied.

Dated November 6, 1998 Bamattre-Manoukian, Acting P.J.

*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J., and Mihara, J.

H017641 PEOPLE v. WELLS

The judgment is affirmed. (not published)

(Elia, J.; We concur: Cottle, P.J., Premo, J.)

Filed November 6, 1998

H017474 POOLE v. ADMUNDSON as Director, etc.

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)

Filed November 6, 1998

H017390 PEOPLE v. CATTOUSE

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed November 6, 1998